

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

MARTIN SOHOVICH, Individually and on  
behalf of himself and all other similarly situated,

Plaintiff,

v.

AVALARA, INC., SCOTT MCFARLANE,  
BRUCE CRAWFORD, MARION FOOTE,  
EDWARD GILHULY, WILLIAM INGRAM,  
MARCELA MARTIN, TAMI RELLER,  
BRIAN SHARPLES, RAJEEV SINGH,  
SRINIVAS TALLAPRAGADA, and KATHY  
ZWICKERT,

Defendants.

Case No.: 2:22-cv-01580-MJP

**STIPULATED MOTION AND  
~~PROPOSED~~ ORDER REGARDING  
SCHEDULING**

NOTE ON MOTION CALENDAR:  
NOVEMBER 13, 2013

1           Lead Plaintiff Martin Sohovich (“Plaintiff”) and Defendants Avalara, Inc., Scott  
2           McFarlane, Bruce Crawford, Marion Foote, Edward Gilhuly, William Ingram, Marcela Martin,  
3           Tami Reller, Brian Sharples, Rajeev Singh, Srinivas Tallapragada, and Kathy Zwickert  
4           (collectively, “Defendants,” and together with Plaintiff, the “Parties”), by and through their  
5           undersigned counsel, hereby stipulate and agree as follows:

6           On November 4, 2022, Vineet Parekh filed the original class action complaint in the  
7           above-captioned action (the “Action”) alleging violations of Sections 14(a) and 20(a) of the  
8           Securities Exchange Act of 1934 in connection with the sale of Avalara, Inc. (Dkt. No. 1);

9           On February 3, 2023, the Court entered an order appointing Plaintiff as lead plaintiff and  
10          Pomerantz LLP as lead counsel for the putative class (Dkt. No. 31);

11          On March 6, 2023, Plaintiff filed an amended complaint in this Action (Dkt. No. 37) (the  
12          “Amended Complaint”);

13          On October 6, 2023, the Court dismissed the Amended Complaint without prejudice and  
14          granted Plaintiff’s request for leave to amend (Dkt. No. 54);

15          On October 27, 2023, Plaintiff filed a second amended complaint in this Action (Dkt.  
16          No. 57) (the “Second Amended Complaint”);

17          Given the complexities of the issues and scheduling conflicts, counsel for the Parties have  
18          agreed to a modified schedule for Defendants to respond to the Second Amended Complaint.

19          **NOW, THEREFORE**, the Parties hereby stipulate and agree, subject to the Court’s  
20          approval, as follows:

21               1.       Defendants shall file an answer or otherwise respond to the Second Amended  
22          Complaint no later than December 1, 2023.

23               2.       If Defendants file a motion under Fed. R. Civ. P. 12 in response to the Second  
24          Amended Complaint (the “Motion”), Plaintiff’s response to the Motion (the “Response”) shall  
25          be filed no later than January 8, 2024.

26               3.       Defendants’ reply in further support of the Motion shall be filed no later than  
27          January 30, 2024.

1 **STIPULATED AND AGREED** this 13th day of November, 2023.

2 **BADGLEY MULLINS TURNER PLLC**  
3 Duncan C. Turner, WSBA # 20597  
4 19929 Ballinger Way NE, Suite 200  
5 Seattle, WA 98155  
6 Telephone: (206) 621-6566  
7 dtturner@badgleyturner.com

8 **POMERANTZ LLP**

9 s/ Tamar A. Weinrib [with email authorization]  
10 Jeremy A. Lieberman (*Pro Hac Vice*)  
11 Tamar A. Weinrib (*Pro Hac Vice*)  
12 600 Third Avenue  
13 New York, NY 10016  
14 Telephone: (212) 661-1100  
15 jallieberman@pomlaw.com  
16 taweinrib@pomlaw.com

17 *Lead Counsel for Plaintiff*

**SAVITT BRUCE & WILLEY LLP**

s/ James P. Savitt  
James Savitt, WSBA #16847  
Jacob P. Freeman, WSBA #54123  
1425 Fourth Avenue, Suite 800  
Seattle, WA 98101  
Telephone: (206) 749-0500  
Email: jsavitt@sbwLLP.com  
Email: jfreeman@sbwLLP.com

**KIRKLAND & ELLIS LLP**

Matthew Solum, P.C. (*Pro Hac Vice*)  
Mike Rusie (*Pro Hac Vice*)  
601 Lexington Avenue  
New York, NY 10022  
Telephone: (212) 446-4688  
matthew.solum@kirkland.com  
mike.rusie@kirkland.com

*Counsel for Defendants*

18 **IT IS SO ORDERED.**

19 **DATED** this 16th day of November, 2023.

20 

21 Marsha J. Pechman  
22 United States Senior District Judge  
23  
24  
25  
26  
27